

Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

SHARED SERVICES

April 4, 2002

In reply refer to: CHP/PSB-2

Ms. Julie Rogoski – TMS- Ditt 1
Bonneville Power Administration
P.O. Box 491
Vancouver, WA 98666-0491

Dear Ms. Rogoski:

This letter responds to your Freedom of Information Act (FOIA) request dated March 5, 2002, designated as FOIA log #02-019. You requested copies of the job application packages (including KSA responses), and any additional information upon which ratings were based, for Vacancy # 000873-02-BPA, Customer Account Executive, GS-1101-13/14.

Enclosed are non-exempt portions of records responsive to your request. BPA has determined that some of the information you requested is exempt from disclosure under 5 U.S.C. 552 b) (6) (exemption 6). Exemption 6 protects personnel, medical and similar files from disclosure when disclosure would result in a clearly unwarranted invasion of personal privacy. This exemption is intended to protect individuals from the injury and embarrassment that could result from an unnecessary disclosure of personal information.

In order to determine whether information should be withheld under exemption 6, an agency must (1) identify whether a privacy interest exists, (2) identify whether release of the document would further the public interest by shedding light on the operations and activities of the Government, and (3) weigh the identified privacy interests against the public interest as a whole in order to determine whether disclosure of the information would constitute a clearly unwarranted invasion of personal privacy.

BPA asserts exemption 6 for the following information, as explained below:

Application packages of unsuccessful job applicants.

First, we have determined that a privacy interest exists in this type of information. Unsuccessful applicants for Federal employment have a different expectation of privacy than applicants that are selected. Persons that apply for these positions may choose

whether or not to publicize the fact they applied for a particular position to others. It also can be embarrassing for some people to have others learn they applied for a job but were ultimately not selected.

Second, we have determined that disclosure of this information would not further the public interest. Although there is a public interest in learning the qualifications of a successful applicant, there is little or no interest in learning the qualifications of candidates who were not selected.

Finally, we have weighed the individual privacy interests in withholding this information against the public interest in disclosing it. Because there is a privacy interest in this information and there is no public interest that would be served by disclosure, we find that disclosure would cause a clearly unwarranted invasion of personal privacy.

Information relating to the successful job applicant. We have redacted identifying information such as social security number, home addresses and phone numbers from Richard Gillman and Brian Altman's application packages. There is a significant privacy interest in this type of information. As stated above, there is a public interest in learning the qualifications of a successful job applicant; however, release of identifying information would not shed any light on this public interest. Therefore, we find that the privacy interest in protecting this information outweighs the public interest in disclosing it.

Any additional information upon which the ratings were based. BPA is withholding the crediting plan for the position. The crediting plan is the assessment instrument used for annual positions to evaluate candidates objectively against job-related criteria. It is used to determine the best qualified candidates. BPA's Merit Promotion Plan (Personnel Letter No. 335-1, XV (c)) prohibits the release of this information.

BPA asserts 5 USC 552(b)(2) ("exemption 2) of the FOIA for the Crediting Plan. Exemption 2 protects material "related solely to the internal personnel rules and practices of an agency." Crediting Plans are predominately internal guides that are used by personnel officials to evaluate candidates for job promotions. The plans are commonly treated as confidential by personnel departments in both the public and private sectors and are often utilized in future competitions for the same or similar positions. Public disclosure would render the criteria in these plans operationally useless in future competitions by giving job applicants an unfair advantage. If job candidates were given this type of information in advance, it would allow them to circumvent the selection program by giving them an opportunity to fabricate or exaggerate qualifications to fit the evaluation criteria.

If you are dissatisfied with this determination, you may make an appeal within thirty (30) days of your receipt of this letter to Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, Washington, D.C. 20585. Both the envelope and letter must be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Tollefson", followed by a horizontal line.

Gene Tollefson
Freedom of Information Act Officer

bcc:

R. Smithey - CH/1

C. Jacobson - LC/7

G. Tollefson - CILR/4

J. Bennett - LC/7

Official File - CILR (EX 13-13, 02-018)

Pjones: pj: 3/28/02 (H:Foia Response)